

ORDINANCE NO. 07-75

ORDINANCE REZONING PROPERTY FROM M-1 (INDUSTRIAL DISTRICT) TO C-2 (LIBERAL RETAIL COMMERCIAL DISTRICT). **PROPERTY LOCATED AT 3420 WEST 84 STREET, HIALEAH, FLORIDA.** REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of August 8, 2007 recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The below-described property is hereby from M-1 (Industrial District) to C-2 (Liberal Retail Commercial District). Property located at 3420 West 84 Street, Hialeah, Miami-Dade County, Florida and legally described as follows:

A PORTION OF TRACT 11 OF CHAMBERS LAND COMPANY SUBDIVISION IN THE NW ¼ OF SECTION 28, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT 11; THENCE NORTH 89° 38' 18" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF WEST 84 STREET, HIALEAH, FLORIDA, FOR A DISTANCE OF 164.88 FEET; THENCE SOUTH 02° 34' 25" EAST

FOR A DISTANCE OF 152.35 FEET TO A POINT; THENCE SOUTH 87° 25' 35" WEST FOR A DISTANCE OF 164.75 FEET TO A POINT ON THE WEST BOUNDARY LINE OF SAID TRACT 11; THENCE NORTH 02° 34' 25" WEST ALONG SAID WEST BOUNDARY LINE OF TRACT 11 FOR A DISTANCE OF 158.71 FEET TO A POINT OF BEGINNING.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 4: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 5: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the

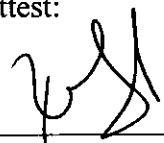
Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 28th day of August, 2007.



Esteban Bovo
Council President

Attest:



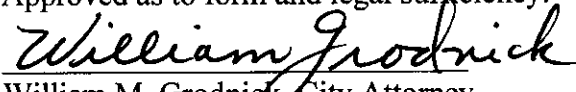
Rafael E. Granado, City Clerk

Approved on this 30 day of August, 2007.



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.

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Ordinance was adopted by a unanimous vote with Councilmembers Bovo, Caragol, Casals-Muñoz, Gonzalez, Hernandez, Miel and Yedra voting "Yes".